

Al-Ahram



The Civil State and its Totalitarian Opponents

by Dr. Ali Mabrook

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If the creation of a civil state is, indeed, the urgent demand of a majority of Egyptians in [our] revolution's aftermath; and if a civil state is to serve as a solid base for the future, it is unfortunate that the term itself—as employed in the current Egyptian debate—appears to be a mere slogan, which people are expected to accept or reject without question. In other words, the concept of a “civil state” is viewed through the prism of dogma, rather than derived from a thorough process of intellectual investigation and review. Any attempt to epistemologically analyze or refine the concept is generally rejected by those who view such an attempt as engaging in philosophical abstraction, which they condemn as a major sin [against the teachings of Islam], deserving of repentance.

This reveals the unfortunate continuity of a superficial way of approaching concepts while neglecting their internal components, and it is precisely this approach that is responsible for the current impasse of the Arab state. For example, this “extrinsic” approach is responsible for the way Arab states are treating democracy as some superficial or/and practical institution or form of government, while neglecting its foundational (i.e., theoretical and philosophical) components. This, in turn, allows the external forms of democracy to be manipulated and employed as masks, to embellish the authoritarian and despotic practices of ruling elites.

This naïve and formalistic approach to the concept of a civil state is clearly visible in relationship to the clothing worn by Arab rulers. [In the Arab world, a] state may be classified as a “civil state”—so long as its ruler does not wear a military hat, or the turban of religious leaders—while the inner, foundational principles of a true civil state are not only neglected, but virtually unimagined by the public at large. People forget that without these inner, fundamental principles, it will be impossible to erect a civil state, even if the ruler is not a military officer or religious leader. Often, the absence of this “civil principle” compels officers or religious leaders who rule Arab states to adopt a military uniform, or religious vestments, as can be seen in Syria and Morocco.

Everyone still remembers how the current Syrian president—who inherited authority from his father a few years ago—was compelled to become part of that nation's military establishment prior to his inauguration as president. A similar phenomenon occurred when the King of Morocco, Muhammad VI, had to adopt the religious title, “Prince of Believers,” in order to ascend the throne. The fact that a nation's ruler serves as the uniformed commander of its

armed forces, or as the “Prince of Believers,” should not be viewed as undermining or negating the existence of a civil state. Rather, this phenomenon reveals the complete *absence* of any civil state in the first place, and of the structures required for its existence.

In other words, the absence of a civil state [in Syria and Morocco] is not due to the military or religious garb worn by the rulers in question. Rather, they were invested with military or religious uniforms *because of* the absence of a civil state and its foundational structures. Unfortunately, the current Arab focus on what style of clothing is or shall be worn by rulers—at the expense of the inner, foundational principles of a civil state—seems to reflect an obsession with marginal, rather than essential, issues.

Regardless of what external “uniform” rulers may don, we should focus our attention on the principles required to establish a true civil state. But what are these fundamental principles?

Awareness of these inner principles requires understanding the historical and sociological context in which the state, as a political phenomenon, emerged to govern human society. That context reveals the fact that “civility”—in the true sense of the word—is a natural and essential component of any legitimate state. A state thus betrays its own nature, when it loses or abandons its civil essence.

Historically, the state emerged to facilitate the transformation of human beings from a condition of natural existence (in which people were occupied solely with the fulfillment of their personal needs and instincts) to the state of civil community (in which people establish regulations to organize co-existence). While the natural (or “uncivilized”) condition of human existence is based on the law of the jungle (i.e., supremacy of the strongest), a civil community is based on the rule of law, which—according to John Locke—provides a comprehensive set of rights that is responsive to community members’ aspirations. The civil state is thus, in essence, a state that confers “rights,” rather than a state that endows rulers with the power to oppress.

If we agree upon the fact that there are many ways in which these “rights” may be secured, it follows that a state will not lose its civil essence, whether it is governed by rational or religious law, so long as these two kinds of *shari’a* (law) are based on the full implementation of, and respect for, of the principle of “rights.” Both religious *shari’a* and rational *shari’a* may constitute a path to attain “the right.” But we should be fully cognizant of the fact that religious *shari’a* is in need of profound and extensive epistemological work, to eliminate its man-made contradictions with the proper aims of a civil state.

While religious *shari’a* has often been employed as a mask to justify discrimination and oppression, we must also admit that rational *shari’a* has, historically, been abused as well. Yet while history suggests that oppression perpetrated in the name of “reason” can be exposed rather easily, it requires greater effort, and sacrifice, to expose those who oppress others in the name of “God.”

This analysis refers not only to the plurality of paths leading to “the right,” but also—and most importantly—to the fact that there exists no single and ready-made path to “the right.” That is to say, people are free to establish their own path to “the right,” according to the nature of their respective experiences, and not simply borrow from other contexts. Unfortunately, anyone who follows the current Egyptian debate is aware that the various

parties to this debate generally believe and assert that there is only one—ready-made—path to “the right.”

While the state is, in principal, humanity’s tool for organizing civil relationships in accord with “the right,” it has often been diverted from this purpose, and failed to perform its intended role. Whenever this occurs the state becomes a sacred cow, which people are enjoined to worship. In the process, the state betrays its essential purpose, and human beings are reduced to being mere tools in the hands of a blind and aggressive force. In other words, it becomes a totalitarian state based upon absolute dogmatism, regardless of whether the content of that dogmatism is religious or secular.

State-sanctioned dogma inevitably degrades human beings, by positioning them as mere tools to verify, and conform to, the dogma in question. Dogma gives rise to a state in which people are compelled to serve a “transcendental” power, whether God (i.e., those who claim to speak in His name); the supreme hero; a political party; class; tribe; sect or any other power that seeks to diminish human beings’ freedom and autonomy.

Totalitarian systems are based upon the assumption that human beings are mere “tools,” rather than effective entities. I still recall how—on the night of Mubarak’s resignation—a man [in Tahrir Square] lifted a placard that read, “It was God and God alone who felled Mubarak’s regime.” I asked him: “What have all these people been doing for the past two weeks?” He replied: “The people were merely tools in the hand of God.”

This last statement reveals how some political groups may drive Egypt towards a religiously-masked totalitarianism. The statement “God and God alone felled Mubarak’s regime” expresses a genuinely *political*, rather than religious, reality. For when some people insist on attributing human actions to God, we should realize that their attributions are merely metaphorical. In reality, they are attributing [the revolution’s success] to those who hide themselves behind God, and claim to speak in His name. Attributing the fall of Mubarak’s regime to God thus reveals the attempts of certain religious groups to steal the Egyptian revolution, so that they may dominate post-revolutionary Egypt in the name of God.

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الدولة المدنية وبديلتها الشمولية

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إذا كانت "المدنية" هي السمة، التي يكاد يتوافق عليها الكافة للدولة المأمولة في مصر بعد ثورتها التي تجاهد من أجل أن تكون حدثاً تأسيسياً، فإنه يبدو - لسوء الحظ - أن تعبير "الدولة المدنية" لا يكاد يجاوز - في الجدل المصري الواسع الدائر الآن - حدود الشعار (الذي يجرى التعامل معه كأقنوم مطلوب من الناس أن يتعبدونه، ولو من غير فهم) إلى المفهوم المنضبط (كنتيجة لخضوعه لعملية فهم ومساءلة).
ولسوء الحظ، فإن ذلك يعكس استمراراً لطريقة المقاربة "البرانية" للمفاهيم، مع إهمال المكونات "الجوانبية" التي تؤسس لها؛ وهي الطريقة المسئولة، بالأساس، عن حال التآزم والإنسداد الذي بلغته الدولة العربية الراهنة. فهي الطريقة التي جعلت تلك الدولة تتعامل مع "الديمقراطية" - مثلاً - على أنها جملة هياكل برانية صورية، مع إهمال مكوناتها الجووانبية التأسيسية، وعلى النحو الذي تحولت معه تلك الهياكل البرانية إلى أقنعة لإستبداد الحاكم وتسلطه. ولقد بلغت شكلاوية وبرانية مفهوم "الدولة المدنية"، في الجدل الراهن، حداً راح معه كثيرون يختزلونه في رداء القائم على رأس الدولة (أو صاحبها بلغة ابن خلدون). وتبعاً لذلك، فإن الدولة تكون مدنية، طالما أن القائم على رأسها لا يعتمر قبعة "العسكر" أو عمامة "رجال الدين"، وأما المبدأ "الجواني" المؤسس لمدنية

الدولة، فإن أهدأ لا ينشغل بالسؤال عنه. وينسى الناس أنه مع غياب هذا المبدأ الجواني، فإنه لن يكون ممكناً بناء الدولة المدنية، ولو كان القائم على رأس الدولة من غير العسكر ورجال الدين. بل إنه قد حدث أن قام على رأس الدولة العربية من جاء من خارج دائرتي العسكر ورجال الدين، وأجبره غياب المبدأ المدني للدولة على أن يرتدى زي الجنرالات أو الفقهاء؛ وذلك بمثل ما حدث في كل من سوريا والمغرب.

فالكل يتذكر ما جرى مع الرئيس السوري الحالي الذي ورث السلطة عن أبيه قبل بضع سنوات؛ حيث فرض عليه النظام أن يصبح جزءاً من مؤسسة العسكر (فيصبح جنراً في جيش البلاد) قبل أن يصبح رئيساً. وهو نفس ما جرى، ولكن في اتجاه آخر مع الملك محمد السادس في المغرب، حيث ألزمه النظام أن يحمل كجزء من لوازم الملك وتبعاته لقب "أمير المؤمنين" بما يحمله من دلالة دينية كثيفة. وبالطبع فإنه لا يمكن النظر إلى ما جرى من ارتداء أحدهما زي الجنرالات ووضع الآخر لعمامة "أمير المؤمنين" على رأسه، بوصفه إلغاءً لمدينة دولتيهما، بقدر ما هو علامة على غياب تلك "المدنية" أصلاً. فالمدينة لم تغب عن الدولة لإرتداء الرجلين؛ أحدهما زي الجنرالات والآخر زي الفقهاء، بل إنهما قد إرتديا هذين الزييين لغياب المدنية أصلاً، وعلى نحو تبدو معه مسألة الزي هي بمثابة "نتيجة" لغياب المدنية، وليست "سبباً" لها.

ولسوء الحظ فإن الإنشغال الراهن بالزي الخارجي للحاكم، على حساب وجوب السعي إلى ترسيخ المبدأ الباطني الجواني للمدينة، يبدو إنشغالاً بالهامشي والعارض، على حساب الجوهرى واللازم.

ولعله يبدو هكذا أنه إذا كانت العبرة في مسألة "مدنية" الدولة، هي في جوهرية حضور المبدأ الجواني المؤسس لها، وليس في زي القائم على رأسها، فإنه لن يؤثر في مدنية الدولة أن يكون القائم عليها ممن يرتدون زي العسكر أو رجال الدين، طالما أن المبدأ الجواني المؤسس لتلك المدنية قد تحقق، وحظى بإحترام الكافة، أولاً. ولكن ما هو هذا المبدأ الجواني الذي يؤسس لمدينة الدولة؟

إن "المدنية" هي سمة لصيقة بالدولة، وإلى حد إمكان القول بأن تعبير "مدنية الدولة" يكاد يساوى تعبير "مائية الماء". فليس من "دولة" إلا وهي "مدنية" بطبيعتها، ولا يمكن أن تكون غير مدنية إلا حين تخون طبيعتها. فقد نشأت الدولة كأداة لإستيعاب تحول الإنسان من حال الوجود الطبيعي (الذي ينشغل فيه الفرد بمجرد إشباع حاجاته وغرائزه الطبيعية) إلى حال الاجتماع المدني (الذي ينشغل فيه بما ينظم حاجته للإجتماع الضرورى مع الآخرين).

وهنا فإنه إذا كان القانون الحاكم لحال الوجود الطبيعي للبشر هو قانون "سيادة الأقوى" الغالب في الطبيعة، فإن القانون الذى يبنى عليه الإجتماع المدني هو قانون "الحق" الذى تصوغه الجماعة - على قول جون لوك - "شاملاً ووافياً لحاجة الجميع"، وبما يعنيه ذلك من أن الدولة المدنية هي، في جوهرها، دولة "الحق"، وليست دولة "القوة" أو الإكراه والقمع.

وإذ تتعدد الطرق إلى هذا "الحق" الذى هو جوهر الإجتماع المدني وروحه، فإن مدنية الدولة لا تفارقها إذا ما حكمتها شريعة "عقلية" أو "دينية" طالما كانت تلك الشرائع قائمة على الفاعلية الكاملة لمبدأ "الحق". فالحق أن "الديني" يمكن أن يكون، شأنه شأن "العقلي" تماماً، طريقاً إلى "الحق"، على أن ذلك يستلزم إنشغالاً معرفياً واسعاً يرفع ما جرى ترسيخه من التعارض بينه وبين المد